

ROSENHEIMER GOES FREE

ACQUITTED OF THE CHARGE OF KILLING GRACE HOUGH

**Justice Orders the Accusation Reduced
From Murder to Second Degree Man
slaughter—The Defendant Recalled
and His Wife Is Also a Witness**

Edward T. Rosenheimer of The Rosenheim Co., who was accused of the murder of Grace Hough, was acquitted in the Criminal Branch of the Supreme Court yesterday afternoon. The jury was out exactly twenty-five minutes.

Grace Hough was killed in a collision between Rosenheimer's motor car and a taxicab in which she was driving with George Fedden and Anna McCabe on Pelham Parkway the night of August 15.

The jury left the court room at the conclusion of Justice O'Gorman's brief charge at 4:43 o'clock, and the spectators thinking that perhaps it would remain out some time, left the building. Rosenheimer's wife and mother, his two nephews and a young woman who had sat

None of the family was in the courtroom when the jury returned, but Mrs. Rosenheimer heard that they had agreed upon a verdict and rushed downstairs, where she remained in the corridor until her husband came out.

the jury was flung in. There was an anxious look upon his face as he stood while the clerk asked the foreman if the jury had agreed upon a verdict.

When asked if they had, the jury had found the defendant not guilty. Rosenheimer's breast heaved and the muscles of his throat twitched.

Justice O'Gorman asked if there was any further charge against Rosenheimer and when told by Assistant District Attorney Maynard that there was not Rosenheimer was discharged. He shook hands with his lawyer.

Mr. Osborne turned to the Court and asked if it would be inopportune for him to thank the jury for the care with which

Justice O'Gorman said that it was not inopportune and availed himself of the opportunity to thank the jury for the manner in which they had conducted themselves in the jury box.

As the jury left the room Rooseveltmen went over to them and every one of the twelve shook hands with him cordially. Then Rooseveltmen went toward the door. Outside he found his wife and family surrounded by a gaping crowd that had collected.

Frank E. Anderson, who was juror 6, after the verdict arose in the jury box and said that on behalf of several others

criminal cases, he wished to express the appreciation of the work of Mr. Maynard, the Assistant District Attorney. He had shown a surprising lack of vindictiveness in his conduct of the trial.

Several policemen in uniform stood near, but it remained for a court officer to clear a way for Rosenheimer and his wife.

As they embraced the crowd collected closer about them.

Rosenheimer turned to the crowd and said, "For God's sake, men, can't you let me and mine be for a time?"

One of the court attendants showed them into a vacant court room, where there was a family reunion for nearly half an hour, and then the Rosenheimers

Earlier in the day Justice O'Gorman had withdrawn from the consideration of the jury the charge of murder in the first degree, for which Rosenheimer had been indicted, and also instructed them that they were to consider only the charge of manslaughter in the second degree.

Mr. Osborne had requested the dismissal of the counts and also asked that the testimony of two of the witnesses be disregarded. The two were Coster, a policeman, who had seen an automobile speeding on Pelham Parkway, and Jacob Stadler, who said that he had narrowly escaped being run down by a low, dark car. The request was granted.

Rosenheimer was on the stand again yesterday. There were several questions

direct examination. Counsel asked the witness if he had not been jarred in trying to turn out of the way of the object that came in front of him on the road. Rosenheimer said he had, and then his lawyer asked him if that had not so disconcerted him that he did not appreciate the fact that he had collided with some vehicle. The answer was again yes.

Then answering questions put by his lawyer Rosenheimer said that he did not wilfully or intentionally strike the

the turn in the road he had a clear space for at least 200 feet and that there was no reason for him to turn to the right; that at no time had he been running his car on any part of the roadway except the macadam in the centre and that if he had been on the dirt road the chains on his tires would have left their mark. He lived only a few hundred yards from a railroad station and had made no attempt to leave the place.

Gustave Swanger, who is the proprietor of the Woodmanster Inn, testified that on the night of August 18 Roenheime had not been at his place.

that on the night of the accident he had narrowly missed being run into by a car about that was going from one side of the other of Pelham Parkway not far from where the accident took place.

Mr. Osborne read the city ordinance requiring automobiles to turn down their headlights within the city limits and asked Rosenheimer if that were not the reason that his lights were low.

Dr. William M. Fleishman, a veterinary doctor, testified that the Fedden horse was not much hurt and that the harness had been but little damaged.

Mrs. Arville Rosenheimer, the wife of the defendant, went on the stand. She simply corroborated her husband's testimony regarding the visit to the supposed

ally there had been an accident. Then
culman, who was with Rosenheimer in
the car, and Fleischer, Rosenheimer's